

FILED

FEB 14 2008

RICHARD W. WIENING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

JW  
(PR)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Kozlowski, Matthew

Plaintiff,

vs.

Charles D-Lee &  
Robert Bowman

Defendant.

CV 08 0954

PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

I, Matthew Kozlowski, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: N/A Net: N/A

Employer: N/A

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 Never have I ever had a job.

5 \_\_\_\_\_

6 \_\_\_\_\_

7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

9 a. Business, Profession or Yes \_\_\_ No X  
 10 self employment

11 b. Income from stocks, bonds, Yes \_\_\_ No X  
 12 or royalties?

13 c. Rent payments? Yes \_\_\_ No X

14 d. Pensions, annuities, or Yes \_\_\_ No X  
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes \_\_\_ No X  
 17 Social Security or other govern-  
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 N/A

22 \_\_\_\_\_

23 3. Are you married? Yes \_\_\_ No X

24 Spouse's Full Name: N/A

25 Spouse's Place of Employment: N/A

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ N/A Net \$ N/A

28 4. a. List amount you contribute to your spouse's support: \$ N/A

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

N/A

5. Do you own or are you buying a home?

Yes ☐ No ☒

Estimated Market Value: \$ N/A Amount of Mortgage: \$ N/A

6. Do you own an automobile?

Yes ☐ No ☒

Make N/A Year N/A Model N/A

Is it financed? Yes ☒ No N/A If so, Total due: \$ N/A

Monthly Payment: \$ N/A

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes ☐ No ☒ Amount: \$ N/A

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☐ No ☒

N/A

8. What are your monthly expenses?

Rent: \$ N/A Utilities: N/A

Food: \$ N/A Clothing: N/A

Charge Accounts:

| Name of Account | Monthly Payment | Total Owed on This Acct. |
|-----------------|-----------------|--------------------------|
| <u>N/A</u>      | \$ <u>N/A</u>   | \$ <u>N/A</u>            |
| <u>N/A</u>      | \$ <u>N/A</u>   | \$ <u>N/A</u>            |
| <u>N/A</u>      | \$ <u>N/A</u>   | \$ <u>N/A</u>            |

9. Do

1 you have any other debts? (List current obligations, indicating amounts and to whom they are  
2 payable. Do not include account numbers.)

3 I owe \$5,000<sup>00</sup> in restitution to the courts  
4 for the crime I am incarcerated for.

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes ~~YES~~ No ~~NO~~ NO

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 N/A

10  
11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15  
16 2/7/08  
17 DATE

18 Hopauke Matthew  
19 SIGNATURE OF APPLICANT  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case Number: \_\_\_\_\_

**CERTIFICATE OF FUNDS**  
**IN**  
**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Kozlowski Matthew for the last six months at

[prisoner name]

Hole Creek State Prison where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Authorized officer of the institution]